

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION  
FILE NUMBER 1:19-cv-00808-LCB-JLW

**Rosetta Swinney**, an individual and legal  
guardian and next of friend to **J. S.**, a  
minor,

Plaintiff,

v.

**Frontier Airlines, Inc.; ABC  
Corporation 1-5; Jane Doe and John  
Doe 1-10**

Defendants.

CIVIL ACTION NO.  
1:19-cv-00808-LCB-JLW

**PLAINTIFF’S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Plaintiff Rosetta Swinney, respectfully move the Court for leave to file the attached Proposed Amended Complaint. Rule 15 provides that “a party may amend its pleading [with]

the court's leave" and that "[t]he court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). Allowing Plaintiff to file the Amended Complaint would serve justice and promote judicial efficiency. Further, there would be no substantial or undue prejudice, bad faith, undue delay, or futility.

For all these reasons, Plaintiff's respectfully request that this Court grant Plaintiff's leave to file the attached Proposed Amended Complaint. Also attached is a proposed order.

Respectfully submitted this 19th day of January 2020.

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## CERTIFICATE OF WORD COUNT

I hereby certify that this brief complies with the word limits of Local Civil Rule 7.3(d) because, excluding the parts exempted by the rule, the brief contains 421 words.

Respectfully submitted,

/s/ Harry M. Daniels  
Harry M. Daniels

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the foregoing PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT with the Clerk of Court using the court's CM/ECF system, which will send electronic notice to all counsel of record, as follows:

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This 19th day of January 2020.

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